AP/2127

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTEFERENCES

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTEFERENCES	Docket Number (Optional) STL920000102.US1

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on ___3/14/05___

Signature _David M___

Typed or printed name ___David J. McKenzie___

In re Application of **Alan R. Smith**

Application Number 09/778,236	Filed 02/06/2001

For Method, computer program product, and system for creating form independent applications operative on IMS resources

Art Unit 2127	Examiner Kenneth Tang

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) $ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: $ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☑ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 09-0460 . I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☑ attorney or agent of record. Registration number 46,919

☐ attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____

_David M___
Signature

David J. McKenzie
Typed or printed name

(801) 994-4646
Telephone number

_____
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

03/18/2005 RFEKADU1 00000018 090460   09778236
01 FC:1401   500.00 DA

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PATENT & TRADEMARK OFFICE
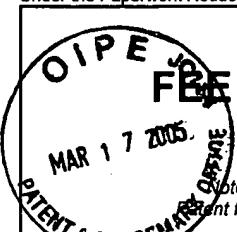
Please type a plus sign (+) inside this box → | + |

PTO/SB/05 (12/97)
Approved for use through 9/30/05. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Note: Effective December 8, 2004.
Patent fees are subject to annual revision.

Complete If Known	
Application Number	09/778,236
Filing Date	February 06, 2001
First Named Inventor	Alan R. Smith
Group Art Unit	2127
Examiner Name	Kenneth Tang
Attorney Docket Number	STL920000102US1

TOTAL AMOUNT OF PAYMENT	$500.00

METHOD OF PAYMENT (check one)

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: __09-0460__

Deposit Account Name: __IBM CORPORATION__

[X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

[ ] Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. [ ] Payment Enclosed:

[ ] Check [ ] Money Order [ ] Other

FEE CALCULATION

1. FILING FEE

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1011	300	2011	150	Utility filing fee	
1111	500	2111	250	Utility search fee	
1311	200	2311	100	Utility examination fee	
1084	250	2004	125	Utility size fee for each additional 50 over 100	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) | $

2. CLAIMS

		Extra		Fee from below		Fee Paid
Total Claims		-20 =	0	x	50	=
Ind. Claims		- 3 =	0	x	200	=
Multiple Dep. Claims			0	x	380	= 0

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	380	2203	180	Multiple dependent claim	
1204	200	2204	100	Reissue independent claims over original patent	
1205	50	2205	25	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) | 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1530	2254	765	Extension for reply within fourth month	
1255	2160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500.00
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive -unavoidably	
1453	1370	2453	685	Petition to revive - unintentional	
1501	14000	2501	700	Utility issue fee	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1801	790	2801	395	Request for continued examination (RCE) (37 CFR 1.114)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

*Reduced by Basic Filing Fee

SUBTOTAL (3) | $ 0

SUBMITTED BY

		Complete (if applicable)	
Typed or Printed Name	David J. McKenzie	Reg. Number	46,919
Signature	*David McKenzie*	Date	Mar 14, 2005	Deposit Account User ID	